

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1-14. (canceled)

15. (currently amended) A process of producing a fructo-oligosaccharide or fructo-polysaccharide, having  $\beta(2-1)$  linked D-fructosyl units ~~or having  $\beta(2-6)$  linked D-fructosyl units~~ comprising forming a mixture by combining sucrose with at least one reaction partner selected from the group consisting of:

a) a protein having fructosyltransferase activity, which exhibits at least ~~75%~~ 85% amino acid identity, as determined by a BLAST algorithm, with an amino acid sequence of SEQ ID No. 1 ~~or~~ 11,

b) a recombinant host cell containing one or more copies of a nucleic acid construct ~~gene~~ encoding for said protein (a) and capable of expressing said protein; and

~~c) a *Lactobacillus* strain expressing protein (a) having fructosyltransferase activity,~~

wherein said reaction partner interacts with sucrose to produce a fructo-oligosaccharide or fructo-polysaccharide.

16-18. (canceled)

19. (previously presented) The process according to claim 15, wherein said protein is a recombinant protein.

20. (currently amended) A process according to claim ~~16~~ 15, further comprising chemically modifying said oligosaccharide or polysaccharide by simultaneous 3- and 4-oxidation, by 1-or 6-oxidation, phosphorylation, acylation, hydroxyalkylation, carboxymethylation, amino-alkylation of one or more anhydrofructose units, or by hydrolysis.

21. (currently amended) The process according to claim 15, further comprising adding a food ~~grade-vehicle~~ or beverage composition to said mixture to obtain a prebiotic composition.

22. (currently amended) The process according to claim 15, further comprising adding to said mixture a *Lactobacillus* strain capable of producing an oligosaccharide or polysaccharide and optionally a ~~food-grade-vehicle~~ food or beverage composition, to obtain a synbiotic composition.

23. (currently amended) A process of producing a fructo-oligosaccharide or fructo-polysaccharide, having  $\beta(2-1)$

linked D-fructosyl units ~~or having  $\beta(2-6)$  fructosyl units~~  
comprising combining sucrose and a protein to form a mixture, said  
protein having fructosyltransferase activity, which exhibits at  
least 85% amino acid identity, as determined by a BLAST algorithm,  
with an amino acid sequence of SEQ ID No. 1 ~~or 11~~, and

interacting said sucrose with said protein to produce  
said fruco-oligosaccharide or fructo-polysaccharide.

24. (new) A process for producing a fructo-  
oligosaccharide or fructo-polysaccharide, having  $\beta(2-6)$  linked D-  
fructosyl units comprising forming a mixture by combining sucrose  
with a reaction partner, wherein said reaction partner is a  
recombinant host cell containing one or more copies of a nucleic  
acid construct encoding for a protein having fructosyltransferase  
activity, which exhibits at least 85% amino acid identity, as  
determined by a BLAST algorithm, with an amino acid sequence of  
SEQ ID No. 11, and wherein said reaction partner interacts with  
sucrose to provide a fructo-oligosaccharide or fructo-  
polysaccharide.

25. (new) A process according to claim 24, further  
comprising chemically modifying said oligosaccharide or  
polysaccharide by simultaneous 3- and 4-oxidation, by 1-or 6-  
oxidation, phosphorylation, acylation, hydroxyalkylation,

carboxymethylation, amino-alkylation of one or more  
anhydrofructose units, or by hydrolysis.